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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docket@dcpatent.com

Office Action Summary

Application No.

10/539,852

Applicant(s)

LUOMA ET AL.

Examiner

MOHAMMAD N. RAHMAN

Art Unit

2161

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) See Continuation Sheet is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB006)
Paper No(s)/Mail Date 4/21/10, 6/14/10
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ ~~Notes of Informal Patent Application~~
- 6) ☐ Other: _____

Continuation of Disposition of Claims: Claims pending in the application are 1-2, 5, 7, 9-10, 13, 15, 17- 18, 21-23, 25-29, 31, 34, 43-45, 53-55, 58- 61, 75-79 .

Continuation of Disposition of Claims: Claims rejected are 1-2, 5, 7, 9-10, 13, 15, 17- 18, 21-23, 25-29, 31, 34, 43-45, 53-55, 58- 61, 75-79 .

DETAILED ACTION

Response to Amendment

1. This Office Action is in response to applicant's communication filed on 04/21/2010 in response to PTO Office Action mailed on 01/27/2010. The Applicant's remarks and amendments to the claims and/or the specification were considered with the results as follow.
2. Claims 1, 2, 9, 13, 17, 18, 21, 31, 34, 43, 53, 55, 58-60 and 75-77 have been amended. As a result, Claims 1-2, 5, 7, 9-10, 13, 15, 17- 18, 21-23, 25-29, 31, 34, 43-45, 53-55, 58- 61, 75-79 are pending in this office action.

Response to Arguments

3. Applicant's arguments, see Remarks, pages 13-17, filed on 04/21/2010, with respect to the rejection(s) of claim(s) 1-2, 5, 7, 9-10, 13, 15, 17- 18, 21-23, 25-29, 31, 34, 43-45, 53-55, 58- 61, 75-77 under 35 USC 103(a) have been fully considered and are moot in view of new grounds of rejection. A new ground(s) of rejection is made in view of Schneidewend et al. (US Publication No. 6,182,287), Dougali et al. (US Publication No. 2003/ 0093485) and Mugura et al. (U.S. Publication No. 6,518,986).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 1, 2, 13, 18, 21, 76 and 77** are rejected under 35 U.S.C. 102(b) as being unpatentable over Schneidewend et al (US Pub. No. 6182287), herein after "Schneidewend".

As to claim 1, Schneidewend teaches, A method comprising:

- "providing a first set of announcements of electronic service guide data (col.6, lines 40-46) describing a plurality of multimedia sessions to be transmitted through a network" see at Fig. 5 and col.1, lines 40-51, col. 3, lines 38-52, *(A database associates individual services and corresponding menu items in the favorite services menu with their respective sources and supports service selection, tuning and acquisition. Additional abbreviated lists of favorite multimedia services, comprising sub-sets of parent service lists, are also hierarchically displayed in response to User command in order to facilitate and refine a search for a desired service.);*
- providing a second set of announcements of electronic service guide data describing at least one updated multimedia session that was updated into an earlier version of the first set of announcements (at col. 4, lines 40-52 and col. 6, lines 7-25, *The menu displays are generated in the form of overlay pixel map data by OSD generator 37 under direction of controller 60 and are updated using the database maintained by unit 64 in controller 60. This database links particular menus with selectable menu option icons in the menu currently*

displayed on unit 50. Controller 60 is thereby enabled to determine and generate the next hierarchical menu to be displayed on unit 50 in response to User selection of a current menu option icon) and causing, at least in part, transmission of said first and second set of announcements" at col.4, lines 53-67 and col.5, lines 8-14 and lines 45-62, (A first list may comprise 100 favorite services and second, third fourth and fifth lists may comprise 40, 20, 10, and 5 favorite services respectively. Further the list services may be collated according to attributes including (a) the User, as identified by a userid and/or password, and (b) the service source, e.g. satellite, cable, terrestrial Internet, LAN etc. As a result, a User is able to more easily navigate and select a desired program. This is of particular importance in multimedia decoders capable of both, receiving hundreds of video channels from a variety of sources, and performing various other multimedia functions).

As to claim 2, Schneidewend teaches, "A method according to claim 1, wherein transmitting said first and second sets of announcements comprises transmitting said first set of announcements through a first channel and transmitting said second set of announcements through a second, different channel" at col. 5, lines 45-61 and col.6, lines 25-46.

As to claim 13, Schneidewend teaches, " A method according to claim 1, wherein the first set of announcements of electronic service Guid data describe an electronic program Guid" col.6, lines 40-46.

As to claim 18, Schneidewend teaches, "a method according to claim 13, wherein the network is a digital video broadcasting network, an advanced television systems committee network, an integrated services digital broadcasting network, or an internet protocol based broadcasting network " at col.1, lines 11-25.

As to claim 21, Schneidewend teaches, " A method according to claim 1, wherein said first set of announcements describe available electronic services including newspapers, radio, television and songs, videos, pictures, games, software, or a combination thereof" at col.2, lines 65-67 and col.3, lines 1-16.

As to claim 76, Schneidewend teaches, A method according to claim 2, wherein the second set of announcements and some of the first set of announcements are transmitted via the first channel and the second channel synchronously with overlaps" at col. 5, lines 45-61 and col.6, lines 25-46.

As to claim 77, Schneidewend teaches, "A method according to claim 2, wherein the second set of announcements and some of the first set of announcements are transmitted via the first channel and the second channel synchronously without overlaps" at col. 5, lines 45-61 and col.6, lines 25-46

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 3, 7, 9, 10, 15, 22, 23, 24, 25, 26, 27, 28, and 29** are rejected under 35 U.S.C. 103(a) as being unpatentable over Schneidewend et al (US Pub. No. 6182287) as applied to claims 1 above and further in view of Rizzo et al. (U.S. Pub. No. 2003/0147390).

As to claim 3, Schneidewend does not teaches, "A method according to claim 1, wherein transmitting said first set of announcements and transmitting said second set of announcements comprises transmitting said first set of announcements through a first IP address and transmitting said second set of announcements through a second, different IP address respectively".

However, Rizzo teaches, "A method according to claim 1, wherein transmitting said first set of announcements and transmitting said second set of announcements comprises transmitting said first set of announcements through a first IP address and transmitting said second set of announcements through a second, different IP address respectively" at Para. [0009], [0070] and [0077].

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Rizzo into the Protocol for multicast communication of Schneidewend, because transmitting said first set of announcements and transmitting said second set of announcements comprises transmitting said first set of announcements through a first IP address and transmitting said second set of announcements through a second, different IP address respectively device would

provide a way to modification data relating to several secondary data sets in a single primary data set, hence, allows secondary data set recipients to monitor the state of the secondary datasets by listening to a single primary communication channel.

As to claim 7, Schneidewend does not teaches, "A method according to claim 1, wherein transmitting said first set of announcements and transmitting said second set of announcements comprises transmitting said first set of announcements through a first port number and transmitting said second set of announcements through a second, different port number respectively".

Rizzo teaches, " A method according to claim 1, wherein transmitting said first set of announcements and transmitting said second set of announcements comprises transmitting said first set of announcements through a first port number and transmitting said second set of announcements through a second, different port number respectively" at Para..[0011], [0019] and [0020].

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Rizzo into the Protocol for multicast communication of Schneidewend, because transmitting said first set of announcements would provide a way to modification data relating to several secondary data sets in a single primary data set, hence, allows secondary data set recipients to monitor the state of the secondary datasets by listening to a single primary communication channel.

As to claim 9, Schneidewend does not teaches, "A method according to claim 1, wherein providing said first set of announcements and providing said second set of

announcements comprises including in each announcement of said first set of announcements data for identifying said announcement as an announcement which describes one of said plurality of multimedia sessions and in each announcement of said second set of announcements data for identifying said announcement as an announcement which describes a one of said at least one updated multimedia session".

However, Rizzo teaches, "A method according to claim 1, wherein providing said first set of announcements and providing said second set of announcements comprises including in each announcement of said first set of announcements data for identifying said announcement as an announcement which describes one of said plurality of multimedia sessions and in each announcement of said second set of announcements data for identifying said announcement as an announcement which describes a one of said at least one updated multimedia session" at Para..[0011], [0019] and [0026].

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Rizzo into the Protocol for multicast communication of Schneidewend, because transmitting said first set of announcements would provide a way to modification data relating to several secondary data sets in a single primary data set, hence, allows secondary data set recipients to monitor the state of the secondary datasets by listening to a single primary communication channel.

As to claim 10, Schneidewend does not teaches, "A method according to claim 1, wherein providing said first set of announcements and providing said second set of announcements comprises including in each announcement of said first set of

announcements respective data for specifying a position of a corresponding multimedia session within a first portion of a multimedia session directory and including in each announcement of said second set of announcements respective data for specifying a position of a corresponding multimedia session within a second portion of the multimedia session directory".

Rizzo teaches, "A method according to claim 1, wherein providing said first set of announcements and providing said second set of announcements comprises including in each announcement of said first set of announcements respective data for specifying a position of a corresponding multimedia session within a first portion of a multimedia session directory and including in each announcement of said second set of announcements respective data for specifying a position of a corresponding multimedia session within a second portion of the multimedia session directory" at Para. [0028], [0029] and [0039].

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Rizzo into the Protocol for multicast communication of Schneidewend, because transmitting said first set of announcements would provide a way to modification data relating to several secondary data sets in a single primary data set, hence, allows secondary data set recipients to monitor the state of the secondary datasets by listening to a single primary communication channel.

As to claim 15, Schneidewend does not teaches, "A method according to claim 1, comprising arranging the providing of said second set of announcements after the providing of said first set of announcements".

However, Rizzo teaches, "A method according to claim 1, comprising arranging the providing of said second set of announcements after the providing of said first set of announcements" at Para..[0011], [0019] and [0026].

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Rizzo into the Protocol for multicast communication of Schneidewend, because transmitting said first set of announcements would provide a way to modification data relating to several secondary data sets in a single primary data set, hence, allows secondary data set recipients to monitor the state of the secondary datasets by listening to a single primary communication channel.

As to claim 22, Schneidewend does not teaches, "A method according to claim 1, comprising including a description of a corresponding multimedia session in each announcement".

Rizzo teaches, " A method according to claim 1, comprising including a description of a corresponding multimedia session in each announcement" at Para..[0011], [0019] and [0026].

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Rizzo into the Protocol for multicast communication of Schneidewend, because transmitting said first set of announcements

would provide a way to modification data relating to several secondary data sets in a single primary data set, hence, allows secondary data set recipients to monitor the state of the secondary datasets by listening to a single primary communication channel.

As to claim 23, Schneidewend teaches, "A method according to claim 1, comprising including a description of a corresponding multimedia session in each announcement";

However, Rizzo teaches, " A method according to claim 1, comprising including a description of a corresponding multimedia session arranged according to session description protocol in each announcement" at Para..[0011], [0019] and [0026].

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Rizzo into the Protocol for multicast communication of Schneidewend, because transmitting said first set of announcements would provide a way to modification data relating to several secondary data sets in a single primary data set, hence, allows secondary data set recipients to monitor the state of the secondary datasets by listening to a single primary communication channel

As to claim 24, Schneidewend does not teaches, "A method according to claim 1, comprising including a description of a corresponding multimedia session in each announcement";

However, Rizzo teaches, " A method according claim 1, wherein transmitting said first set of announcements comprises transmitting said first set of announcements as a series of linked messages" Para. [0076]..

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Rizzo into the Protocol for multicast communication of Schneidewend, because transmitting said first set of announcements would provide a way to modification data relating to several secondary data sets in a single primary data set, hence, allows secondary data set recipients to monitor the state of the secondary datasets by listening to a single primary communication channel

As to claim 25, Schneidewend does not teaches, "A method according to claim 1, wherein transmitting said first and second set of announcements comprises transmitting said first set of announcements in a first set of time slots and transmitting said second set of announcements in a second set of time slots, each timeslot of said first set of timeslots being provided at a different time from each timeslot of said second set of time slots";

However, Rizzo teaches, "A method according to claim 1, wherein transmitting said first and second set of announcements comprises transmitting said first set of announcements in a first set of time slots and transmitting said second set of announcements in a second set of time slots, each timeslot of said first set of timeslots being provided at a different time from each timeslot of said second set of time slots" at Para. [0008], [0011]. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Rizzo into the Protocol for multicast communication of Schneidewend, because transmitting said first set of announcements would provide a way to modification data relating to several secondary data sets in a

single primary data set, hence, allows secondary data set recipients to monitor the state of the secondary datasets by listening to a single primary communication channel

As to claim 26, Schneidewend does not teaches, "A method according to claim 1, wherein transmitting said first and second set of announcements comprises transmitting said first set of announcements in a first set of time slots and transmitting said second set of announcements in a second set of time slots, each timeslot of said first set of timeslots being provided at a different time from each timeslot of said second set of time slots";

However, Rizzo teaches, " A method according to claim 1, wherein transmitting said first and second set of announcements comprises transmitting said first set of announcements in a first set of time slots and transmitting said second set of announcements in a second set of time slots, each timeslot of said first set of timeslots being provided at a different time from each timeslot of said second set of time slots" ar Para. [0011] and [0073]. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Rizzo into the Protocol for multicast communication of Schneidewend, because transmitting said first set of announcements would provide a way to modification data relating to several secondary data sets in a single primary data set, hence, allows secondary data set recipients to monitor the state of the secondary datasets by listening to a single primary communication channel;

As to claim 27, Schneidewend does not teaches, "" A method according to claim 1, comprising multiplexing said first and second sets of announcements";

However, Rizzo teaches, " A method according to claim 1, comprising multiplexing said first and second sets of announcements" at para. [0011]. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Rizzo into the Protocol for multicast communication of Schneidewend, because transmitting said first set of announcements would provide a way to modification data relating to several secondary data sets in a single primary data set, hence, allows secondary data set recipients to monitor the state of the secondary datasets by listening to a single primary communication channel;

As to claim 28, Schneidewend does not teaches, "A method according to claim 1, further comprising providing a third set of announcements identifying said at least one updated multimedia session";

However, Rizzo teaches, " A method according to claim 1, further comprising providing a third set of announcements identifying said at least one updated multimedia session" at Para. [0011] and [0073]. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Rizzo into the Protocol for multicast communication of Schneidewend, because transmitting said first set of announcements would provide a way to modification data relating to several secondary data sets in a single primary data set, hence, allows secondary data set

recipients to monitor the state of the secondary datasets by listening to a single primary communication channel;

As to claim 29, Schneidewend does not teaches, "method according to claim 1, wherein providing the second set of announcements describing the at least one updated multimedia session comprises providing a set of announcements identifying the at least one updated multimedia session";

Rizzo teaches, "A method according to claim 1, wherein providing the second set of announcements describing the at least one updated multimedia session comprises providing a set of announcements identifying the at least one updated multimedia session" at para. [0011] and [0019].

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Rizzo into the Protocol for multicast communication of Schneidewend, because transmitting said first set of announcements would provide a way to modification data relating to several secondary data sets in a single primary data set, hence, allows secondary data set recipients to monitor the state of the secondary datasets by listening to a single primary communication channel;

Claim 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schneidewend et al (US Pub. No. 6182287) as applied to claims 1 above and further in view of Rizzo et al. (U.S. Pub. No. 2003/ 0147390) and Dougali et al (US Pub. No. 2003/ 0093485).

As to claim 17, Schneidewend does not teaches, ""A method according to claim 1, wherein transmitting said first set of announcements comprises transmitting said first set of announcements according to a session announcement protocol; an unidirectional transport protocol, or a user datagram protocol";

Rizzo teaches, "A method according to claim 1, wherein transmitting said first set of announcements comprises transmitting said first set of announcements according to a session announcement protocol" at Para..[0011], [0019] and [0026].

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Rizzo into the Protocol for multicast communication of Schneidewend, because transmitting said first set of announcements would provide a way to modification data relating to several secondary data sets in a single primary data set, hence, allows secondary data set recipients to monitor the state of the secondary datasets by listening to a single primary communication channel;

Schneidewend/ Rizzo does not teaches, "an unidirectional transport protocol, or a user datagram protocol";

Dougali teaches, "a unidirectional transport protocol, or a user datagram protocol" at Para. [0094];

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Dougali into the scheduled streaming of best effort data of Schneidewend/ Rizzo, because an unidirectional transport protocol, or a

user datagram protocol would provide a way to control the transmission of best-effort filed data or programs on channels from controllers to several client nodes;

Claim 31 and 75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schneidewend et al (US Pub. No. 6182287) as applied to claims 1 above and further in view of Mugura et al. (U.S. Pub. No. 6518986).

As to claim 31, Schneidewend does not teaches, "A method according to claim 1, wherein providing the second set of announcements describing the at least one updated multimedia session comprises providing a set of notifications pointers pointing to the at least one updated multimedia session";

Muguro teaches, "A method according to claim 1, wherein providing the second set of announcements describing the at least one updated multimedia session comprises providing a set of notifications pointers pointing to the at least one updated multimedia session" at col.2, lines 20-38.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Muguro into the on-screen guide for a multiple channel broadcasting system of Schneidewend, because providing the second set of announcements describing the at least one updated multimedia session comprises providing a set of notifications pointers pointing to the at least one updated multimedia session would provide a way to generating an on screen guide for a user to select channels in a multiple channel broadcasting system, and a computer system;

As to claim 75, Schneidewend does not teaches, "A method according to claim 1, wherein the second set of announcements describing the at least one updated multimedia session are in the form of a set of announcements pointers identifying the at least one updated multimedia session";

Muguro teaches, " A method according to claim 1, wherein the second set of announcements describing the at least one updated multimedia session are in the form of a set of announcements pointers identifying the at least one updated multimedia session" at col.2, lines 20-38.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Muguro into the on-screen guide for a multiple channel broadcasting system of Schneidewend, because providing the second set of announcements describing the at least one updated multimedia session comprises providing a set of notifications pointers pointing to the at least one updated multimedia session would provide a way to generating an on screen guide for a user to select channels in a multiple channel broadcasting system, and a computer system;

8. **Claim 34 and 60-61** are rejected under 35 U.S.C. 103(a) as being unpatentable over Schneidewend et al (US Pub. No. 6182287) as applied to claims 1 above and further in view of Bell et al. (U.S. Pub. No. 7181526).

As to claim 34, Schneidewend does not teaches, "A method according to claim 1, comprising transmitting at least one of said sets of announcements according to an asynchronous layered coding protocol";

Bell teaches, " A method according to claim 1, comprising transmitting at least one of said sets of announcements according to an asynchronous layered coding protocol" at col. 8, lines 26-49, col. 19, lines 19-27, col. 20, lines 66-67 and col. 21, lines 1-10 (about "announcement...", see "notification" for the updated multimedia session), also see at col. 3, lines 1-25 and col. 47, lines 30-48).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Bell into Announced session description of Schneidewend, because transmitting at least one of said sets of announcements according to an asynchronous layered coding protocol would provide a way to security and charging policies to be incorporated within the session description for use within the session control system to invoke appropriate charging and security procedures;

As to claim 60, Schneidewend/ Razzo teaches, "The apparatus according to claim 59, wherein the apparatus is further caused to selectively receive a third set of announcements describing another plurality of multimedia sessions identifying said at least one updated session" Razzo, Para. [0011] and [0020];

Schneidewend/ Razzo does not teach, ""if the said first set of announcements has been received, either not to receive or not to forward said third set of announcements";

Bell teaches, "if the said first set of announcements has been received, either not to receive or not to forward said third set of announcements" see Bell, at "abstract", at col. 4, lines 3-24 and col.6, lines 53-60;

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Bell into Announced session description of Schneidewend, because transmitting at least one of said sets of announcements according to an asynchronous layered coding protocol would provide a way to security and charging policies to be incorporated within the session description for use within the session control system to invoke appropriate charging and security procedures;

As to claim 61, Schneidewend/ Razzo /Bell teaches, "apparatus according to claim 60 which is a mobile communications device" see Bell, "abstract".

9. **Claims 43-45, 53-55, 58-59 and 78-79** are rejected under 35 U.S.C. 103(a) as being unpatentable over Schneidewend et al (US Pub. No. 6182287) in view of Rizzo et al. (U.S. Pub. No. 2003/ 0147390).

As to claim 43, Schneidewend teaches, A method comprising:

- "causing, at least in part, selective reception of a first set of announcements of electronic service guide data describing a plurality of multimedia sessions transmitted through a network" see at Fig. 5 and col.1, lines 40-51, col. 3, lines 38-52, *(A database associates individual services and corresponding menu items in the favorite services menu with their respective sources and supports service selection, tuning and acquisition. Additional abbreviated lists of favorite multimedia services, comprising sub-sets of parent service lists, are also*

hierarchically displayed in response to User command in order to facilitate and refine a search for a desired service.);

- causing, at least in part, selective reception of a second set of announcements of electronic service guide data describing at least one updated multimedia session that was updated into an earlier version of the first set of announcements (at col. 4, lines 40-52 and col. 6, lines 7-25, *The menu displays are generated in the form of overlay pixel map data by OSD generator 37 under direction of controller 60 and are updated using the database maintained by unit 64 in controller 60. This database links particular menus with selectable menu option icons in the menu currently displayed on unit 50. Controller 60 is thereby enabled to determine and generate the next hierarchical menu to be displayed on unit 50 in response to User selection of a current menu option icon*) and and is described in the first set of announcement " at col.4, lines 53-67 and col.5, lines 8-14 and lines 45-62, *(A first list may comprise 100 favorite services and second, third fourth and fifth lists may comprise 40, 20, 10, and 5 favorite services respectively. Further the list services may be collated according to attributes including (a) the User, as identified by a userid and/or password, and (b) the service source, e.g. satellite, cable, terrestrial Internet, LAN etc. As a result, a User is able to more easily navigate and select a desired program. This is of particular importance in multimedia decoders capable of both, receiving hundreds of video channels from a variety of sources, and performing various other multimedia functions).*

Schneidewend does not teaches, "accessing at least one of the plurality of received multimedia sessions".

Razzo teaches, "accessing at least one of the plurality of received multimedia sessions" at Para. [0011] and [0019].

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Rizzo into the Protocol for multicast communication of Schneidewend, because accessing at least one of the plurality of received multimedia sessions would provide a way to modification data relating to several secondary data sets in a single primary data set, hence, allows secondary data set recipients to monitor the state of the secondary datasets by listening to a single primary communication channel.

As to claim 44, Schneidewend/ Razzo teaches, " A method according to claim 43, further comprising determining whether all of said first set of announcements have been received" at Schneidewend, col. 1, lines 40-51.

As to claim 45, Schneidewend/ Razzo teaches, " A method according to claim 44, further comprising selecting not to receive further said first set of announcements and selecting to receive said second set of announcements" at Schneidewend, col. 1, lines 40-51.

As to claim 53, Schneidewend teaches, A method comprising:

- "listening to a first set of announcements of electronic service guide data describing a plurality of multimedia sessions transmitted through a network" see at Fig. 5 and col.1, lines 40-51, col. 3, lines 38-52, *(A database associates individual services and corresponding menu items in the favorite services menu with their respective sources and supports service selection, tuning and acquisition. Additional abbreviated lists of favorite multimedia services, comprising sub-sets of parent service lists, are also hierarchically displayed in response to User command in order to facilitate and refine a search for a desired service.);*
- determining whether said first set of announcements have been received; if said first set of announcements have been received, then stopping listening to said first set of announcements, listening to a second set of announcements of electronic service guide data describing at least one updated multimedia session that was updated into an earlier version of the first set of announcements and (at col. 4, lines 40-52 and col. 6, lines 7-25, *The menu displays are generated in the form of overlay pixel map data by OSD generator 37 under direction of controller 60 and are updated using the database maintained by unit 64 in controller 60. This database links particular menus with selectable menu option icons in the menu currently displayed on unit 50. Controller 60 is thereby enabled to determine and generate the next hierarchical menu to be displayed on unit 50 in response to User selection of a current menu option icon*) is described in the first set of announcement" at col.4, lines 53-67 and col.5, lines 8-14 and lines 45-62,

(A first list may comprise 100 favorite services and second, third fourth and fifth lists may comprise 40, 20, 10, and 5 favorite services respectively. Further the list services may be collated according to attributes including (a) the User, as identified by a userid and/or password, and (b) the service source, e.g. satellite, cable, terrestrial Internet, LAN etc. As a result, a User is able to more easily navigate and select a desired program. This is of particular importance in multimedia decoders capable of both, receiving hundreds of video channels from a variety of sources, and performing various other multimedia functions).

Schneidewend does not teaches, "accessing at least one of the plurality of listened multimedia sessions".

However, Razzo teaches, "accessing at least one of the plurality of listened multimedia sessions" at Para. [0011] and [0019].

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Rizzo into the Protocol for multicast communication of Schneidewend, because accessing at least one of the plurality of received multimedia sessions would provide a way to modification data relating to several secondary data sets in a single primary data set, hence, allows secondary data set recipients to monitor the state of the secondary datasets by listening to a single primary communication channel.

Note that claim 58 recite the corresponding limitations as set forth in claim 53 above, thus rejected accordingly.

As to claim 54, Schneidewend/ Razzo teaches, " A method according to claim 53, further comprising: stopping listening to a third set of announcements describing a further plurality of multimedia sessions including said at least one updated multimedia session" Schneidewend, at col.4, lines 53-67 and col.5, lines 8-14 and lines 45-62.

As to claim 55, Schneidewend teaches, An apparatus comprising:

- "at least one processor; and at least one memory including computer program code, the at least one memory and the computer program code configured to, with the at least one processor, cause the apparatus to perform at least the following, provide a first set of announcements of electronic service guide data describing a plurality of multimedia sessions to be transmitted through a network" see at Fig. 5 and col.1, lines 40-51, col. 3, lines 38-52, *(A database associates individual services and corresponding menu items in the favorite services menu with their respective sources and supports service selection, tuning and acquisition. Additional abbreviated lists of favorite multimedia services, comprising sub-sets of parent service lists, are also hierarchically displayed in response to User command in order to facilitate and refine a search for a desired service.);*
- provide a second set of announcements of electronic service guide data describing at least one updated multimedia session that was updated into an earlier version of the first set of announcements (at col. 4, lines 40-52 and col. 6, lines 7-25, *The menu displays are generated in the form of overlay pixel map*

data by OSD generator 37 under direction of controller 60 and are updated using the database maintained by unit 64 in controller 60. This database links particular menus with selectable menu option icons in the menu currently displayed on unit 50. Controller 60 is thereby enabled to determine and generate the next hierarchical menu to be displayed on unit 50 in response to User selection of a current menu option icon) and is described in the first set of announcement" at col.4, lines 53-67 and col.5, lines 8-14 and lines 45-62, (A first list may comprise 100 favorite services and second, third fourth and fifth lists may comprise 40, 20, 10, and 5 favorite services respectively. Further the list services may be collated according to attributes including (a) the User, as identified by a userid and/or password, and (b) the service source, e.g. satellite, cable, terrestrial Internet, LAN etc. As a result, a User is able to more easily navigate and select a desired program. This is of particular importance in multimedia decoders capable of both, receiving hundreds of video channels from a variety of sources, and performing various other multimedia functions).

Schneidewend does not teaches, "transmit said first and second set of announcements".

Razzo teaches, "transmit said first and second set of announcements" at Para. [0011] and [0019].

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Rizzo into the Protocol for multicast

communication of Schneidewend, because transmit said first and second set of announcements would provide a way to modification data relating to several secondary data sets in a single primary data set, hence, allows secondary data set recipients to monitor the state of the secondary datasets by listening to a single primary communication channel.

Note that claim 78 and 79 recite the corresponding limitations as set forth in claim 55 above, thus rejected accordingly.

As to claim 59, Schneidewend/ Razzo teaches, "The apparatus according to claim 58, wherein: the apparatus is further caused to determine whether said first set of announcements has been received; and said first set of announcements has been received, to receive said second set of announcements" Schneidewend, at col. 5, lines 45-61 and col.6, lines 25-46.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad N. Rahman whose telephone number is 571-270-1631. The examiner can normally be reached on 7:30am - 5:00 pm, Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mofiz Apu M can be reached on 572-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mohammad N Rahman/

Examiner, Art Unit 2161

Date: 07/15/2010

/Apu M Mofiz/

Supervisory Patent Examiner, Art Unit 2161